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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/703,941

11/01/2000

Douglas A. Graham

3688-030

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10/08/2008

WOMBLE CARLYLE SANDRIDGE & RICE, PLLC

ATTN: PATENT DOCKETING 32ND FLOOR

P.O. BOX 7037

ATLANTA, GA 30357-0037

EXAMINER

WOO, ISAAC M

ART UNIT

PAPER NUMBER

2166

MAIL DATE

DELIVERY MODE

10/08/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/703,941	GRAHAM, DOUGLAS A.	
	Examiner	Art Unit	
	ISAAC M. WOO	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15-31, 33, 35-52, 54-58 and 60-69 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-31, 33, 35-52, 54-58 and 60-69 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to Applicant's Response, filed on July 15, 2008, have been considered but are deemed moot in view of new ground of rejections below.

2. Claims 1-13, 15-31, 33, 35-52, 54-58 and 60-69 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-13, 15-31, 33, 35-52, 54-58 and 60-69 are rejected under 35 U.S.C. 102(e) as being anticipated by Uemura (U.S. Patent No. 6,609,085).

With respect to claim 1, Uemura discloses, searching for at least one remote database accessible via a network of computer systems, see (col. 1, lines 11-67 to col. 2, lines 1-54); determining whether each remote database found during the searching is comprised of the desired type of data, wherein the desired type of data is time series

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data (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36); and storing location information for each remote database found during the searching if the remote database is comprised of the desired type of data, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 2, Uemura discloses, desired type of data for use in a predetermined data analysis, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36); retrieving data from the selected remote database via the network of computer systems; using the data retrieved from the selected remote database in the predetermined data analysis, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 3, Uemura discloses, storing an indication that the remote database is comprised of data that has been used in the predetermined data analysis, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 4, Uemura discloses, determining at a predetermined time interval whether the database has changed; and if the database has changed, updating the predetermined data analysis using the changed data, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

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With respect to claim 5, Uemura discloses, determined on the basis of the frequency of the time series data, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 6, Uemura discloses, predetermined data analysis that has been updated; providing an indication to a predetermined user that the predetermined data analysis has been updated, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 7, Uemura discloses, providing the updated predetermined data analysis to a predetermined user, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claims 8-10, Uemura discloses, predetermined data analysis is a forecast, economic, demographic or meteorological forecast specified by a user, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 11, Uemura discloses, retrieving data from the selected local database via the network of computer systems; and using the data retrieved from the selected local database in the predetermined data analysis, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

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With respect to claim 12, Uemura discloses, if the number times the remote database is used in the predetermined data analysis exceeds a predefined value, storing locally the data used in the predetermined analysis, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 13, Uemura discloses, receiving a specification of the desired type of data before the searching and the storing, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 15, Uemura discloses, receiving a specification of the desired type of data before the searching and the storing, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 16, Uemura discloses, determining information about at least one characteristic of the remote database; and storing the information about the at least one characteristic of the remote database in association with the location information for the remote database, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 17, Uemura discloses, remote database is selected from the group consisting of data frequency, data units, data scale, data source, data update

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date, and number of data points, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 18, Uemura discloses, remote database is selected from the group consisting of data frequency, data units, data scale, data source, data update date, and number of data points, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 19, Uemura discloses, determined from at least one XML data definition tag that is associated with the remote database, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 20, Uemura discloses, searching the stored remote database characteristic information; and identifying one or more remote databases having the desired remote database characteristic, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 21, Uemura discloses, remote databases having the desired remote database characteristic, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 22, Uemura discloses, reading network address information for at least one computer system within the network of computer systems; accessing the at least one computer system based on the network address information; retrieving information from the at least one computer system sufficient to determine whether the at least one computer system provides access to at least one remote database, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 23, Uemura discloses, access the at least one computer system and to process the information retrieved from the at least one computer system, see (col. 5, lines 29-67 to col. 6, lines 1-65, fig. 2, fig. 3, col. 10, lines 16-58).

With respect to claim 24, Uemura discloses, protocol is TCP/IP communications protocol, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 25, Uemura discloses, predefined database formatting information to access the at least one computer system and to process the information retrieved from the at least one computer system, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 26, Uemura discloses, predefined database formatting information is comprised of a plurality of predefined database format definitions, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 27, Uemura discloses, reading uniform resource locator (URL) information corresponding to at least one computer system accessible via the Internet; accessing the at least one computer system via the Internet; determining whether the at least one computer system provides access to at least one remote database, and storing location information for the at least one computer system if the at least one computer system provides access to the at least one remote database, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 28, Uemura discloses, retrieving HTML formatted information from each computer system found that provides access to at least one remote database, and parsing the retrieved HTML formatted information to determine whether the at least one remote database is comprised of data of the desired type, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 29, Uemura discloses, HTML formatted information is comprised of a meta tag, see (fig. 1, col. 1, lines 10-67 to col. 2, lines 1-4, col. 3, lines 40-67 to col. 4, lines 1-20, col. 4, lines 33-67 to col. 5, lines 1-33, col. 5, lines 4-62).

With respect to claim 30, Uemura discloses, retrieving XML formatted information from each computer system that provides access to at least one remote database, and parsing the retrieved XML formatted information to determine whether the at least one

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remote database is comprised of data of the desired type, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36 2).

With respect to claim 31, Uemura discloses, storing an indication of whether the remote database is comprised of time series data in association with the location information for the remote database, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 33, Uemura discloses, storing characteristic information for each time series of data in association with the location information for the remote database in which the time series of data is contained, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 35, Uemura discloses, number of data points in the at least one time series of data, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 36, Uemura discloses, starting time of the time series of data; ending time of the time series of data; and time interval between each of the data points contained in the time series of data, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36 2).

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With respect to claim 37, Uemura discloses, data series format information is comprised of information about the format of the time series of data contained in the at least one database, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 38, Uemura discloses, time series of data is redundant of a data series for which information has already been stored, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 39, Uemura discloses, information has already been stored, not storing information about the time series of data, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36 2).

With respect to claim 40, Uemura discloses, if the time series of data is not redundant of the data series for which information has already been stored, storing information about the time series of data, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 41, Uemura discloses, determining whether a correlation exists between at least some of the data of the desired type contained in the at least one remote database and at least some of the data of the desired type contained in a predefined data set; and if the correlation exists, storing an indication of the correlation

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in association with the stored location information for the at least one remote database, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claims 42-46, Uemura discloses, predefined data set is comprised of microeconomic data, macroeconomic data and meteorological, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 47, Uemura discloses, determining a volatility measurement for at least some of the data of the desired type contained in the at least one remote database; and storing the volatility measurement in association with the stored location information for the at least one remote database, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 48, Uemura discloses, determining a seasonality measurement for at least some of the data of the desired data type contained in the at least one remote database, and storing the seasonality measurement in association with the stored location information for the at least one remote database, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 49, Uemura discloses, searching for at least one remote database accessible via a network of computer systems, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36); storing location information for each remote database

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found during the searching, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36); storing an indication of whether each remote database found during the searching is comprised of the desired type of data, wherein the desired type of data is time series data, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 50, Uemura discloses, database key, wherein the database key uniquely identifies the at least one remote database; and, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36); location information for the at least one remote database (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36); the location information being stored if the at least one remote database is comprised of the desired type of data, wherein the desired type of data is time series data (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36 2), and the location information being stored in association with the database key (URL), see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 51, Uemura discloses, the at least one remote database, the data type information being stored in association with the database key, see (fig. 1, col. 1, lines 10-67 to col. 2, lines 1-4, col. 3, lines 40-67 to col. 4, lines 1-20, col. 4, lines 33-67 to col. 5, lines 1-33, col. 5, lines 4-62).

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With respect to claim 52, Uemura discloses, at least one remote database is comprised of the desired type of data, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 54, Uemura discloses, database descriptive information being stored in association with the database key, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 55, Uemura discloses, remote database is comprised of data that has been used in the predetermined data analysis, the database usage information being stored in association with the database key, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 56, Uemura discloses, remote database was last updated, the database update information being stored in association with the database key, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 57, Uemura discloses, a data series key for the time series of data, wherein the data series key uniquely identifies the time series of data; and location information for the time series of data, the location information being stored in association with the data series key, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 58, Uemura discloses, data series descriptive information about the at least one data series, the data series descriptive information being stored in association with the data series key, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 60, Uemura discloses, number of data points being stored in association with the data series key, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 61, Uemura discloses, starting time of the time series of data; ending time of the time series of data; and time interval between each of the data points contained in the time series of data, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 62, Uemura discloses, data series usage information, wherein the data series usage information indicates that the time series of data is comprised of data that has been used in the predetermined data analysis, the data series usage information being stored in association with the data series key, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

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With respect to claim 63, Uemura discloses, time series of data is comprised of data that has been used in the predetermined data analysis, the data series usage information being stored in association with the data series key, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 64, Uemura discloses, information about the format of the time series of data contained in the at least one remote database, and the data series format information being stored in association with the data series key, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 65, Uemura discloses, information about whether payment is required to access the data contained in the at least one remote database, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 66, Uemura discloses, database access authorization information is comprised of information necessary to access the data contained in the at least one remote database, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 67, Uemura discloses, information is comprised of user identification information and a password, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 68, Uemura discloses, search for at least one remote database accessible via a network of computer systems, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36); determine whether each remote database found during the searching is comprised of the desired type of data, wherein the desired type of data is time series data (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36); and store location information for each remote database found during the searching if the remote database is comprised of the desired type of data, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

With respect to claim 69, Uemura discloses, at least one remote database being accessible by the computer via a network of computer systems, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36); location information for each remote database found during the searching is comprised of the desired type of data, wherein the desired type of data is time series data (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36); and store location information for each remote database found during the searching if the remote database is comprised of the desired type of data, see (col. 16, lines 1-21, col. 29, lines 24-38, col. 31, lines 12-36).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ISAAC M. WOO whose telephone number is (571)272-4043. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Isaac M. Woo/
Primary Examiner, Art Unit 2166

6.